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Attorneys for Plaintiffs,  
MARY & ROBERT RUSSO

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

_____ Plaintiff(s),	:	Civil Action No. _____
	:	
MARY RUSSO and ROBERT RUSSO,	:	
	:	Document Electronically Filed
v.	:	
	:	
Defendant(s),	:	
UNITED STATES POST OFFICE,	:	
JOHN RODRIGUEZ	:	
_____	:	<b>COMPLAINT</b>

**PARTIES**

1. Plaintiffs, MARY RUSSO and ROBERT RUSSO, husband and wife, are citizens of the State of New Jersey, residing at 25 Breakwater Square, Freehold, New Jersey.

2. Defendant, UNITED STATES POST OFFICE, is a federal agency in an arm of the United States Government.

3. Defendant, JOHN RODRIGUEZ, is an employee of the United States Post Office, who was acting in the scope of his employment on October 28, 2010, and is a citizen of the State of New Jersey residing at 73 Alpha Avenue, in the Township of Old Bridge, State of New Jersey.

### **JURISDICTION**

4. Jurisdiction is based on the Federal Tort Claims Act, 28 U.S.C. §2674.

### **CAUSE OF ACTION**

#### **First Count**

5. On or about October 28, 2010, plaintiff Mary Russo was the operator of a vehicle travelling on East Main Street, in the Boro of Freehold, State of New Jersey.

6. On or about October 28, 2010, plaintiff Robert Russo was the owner of and passenger in the vehicle being operated by Mary Russo.

7. On or about October 28, 2010, defendant, John Rodriguez, an employee of the United States Postal Service was operating a postal truck bearing license plate no. 4303287, at or near 85 East Main Street, in the Boro of Freehold, State of New Jersey.

8. At the aforesaid time and place, while travelling on East Main Street, in the Boro of Freehold, State of New Jersey, defendant, John Rodriguez carelessly and negligently operated his vehicle so as to cause it to strike the rear of plaintiff's vehicle.

9. By reason of the negligence and carelessness of defendant, John Rodriguez, plaintiffs Mary Russo and John Russo were seriously and permanently injured, were caused to and did seek medical attention in an effort to cure themselves of their injuries, incurring great expense therefore, and were prevented from attending to their usual business, and were otherwise damaged thereby.

**Second Count**

10. Plaintiff, Mary Russo is the wife of plaintiff, Robert Russo.

11. As a direct result of the defendant's negligence, plaintiff, Mary Russo was proximately caused to and did incur expenses in the care and treatment of her husband, Robert Russo and has lost the services and companionship of her husband and has been otherwise damaged thereby.

**Third Count**

12. Plaintiff, Robert Russo is the husband of plaintiff, Mary Russo.

13. As a direct result of the defendant's negligence, plaintiff, Robert Russo was proximately caused to and did incur expenses in the care and treatment of his wife, Mary Russo and has lost the services and companionship of his wife and has been otherwise damaged thereby.

**DEMAND FOR RELIEF**

Plaintiffs, Mary Russo and Robert Russo demand judgment against defendants, United States Postal Service and John Rodriguez, for damages and costs of suit.

**/s/ BRIAN D. DRAZIN, ESQ. [BDD-3253]**  
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